



**CITY OF SUNNYVALE  
REPORT  
Administrative Hearing**

**June 30, 2004**

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**SUBJECT:**           **2004-0441** – Application for related proposals on a 4,615 square foot site located at **206 East California Avenue** in an R-1.5 (low-Medium Density Residential) Zoning District. (APN: 204-48-033):

Motion           **Design Review** to allow the placement of a two-story house on an existing lot; and

Motion           **Variance** from SMC (Sunnyvale Municipal Code) section 19.34.030 to allow a front yard setback of 10 feet where 20-feet is required for the main house and a rear yard setback of 0 ft. where 10 ft. is required for the detached garage.

Motion           **Use Permit** to allow a detached garage greater than 450 sq. ft.

**REPORT IN BRIEF**

**Existing Site**           Vacant Lot

**Conditions**

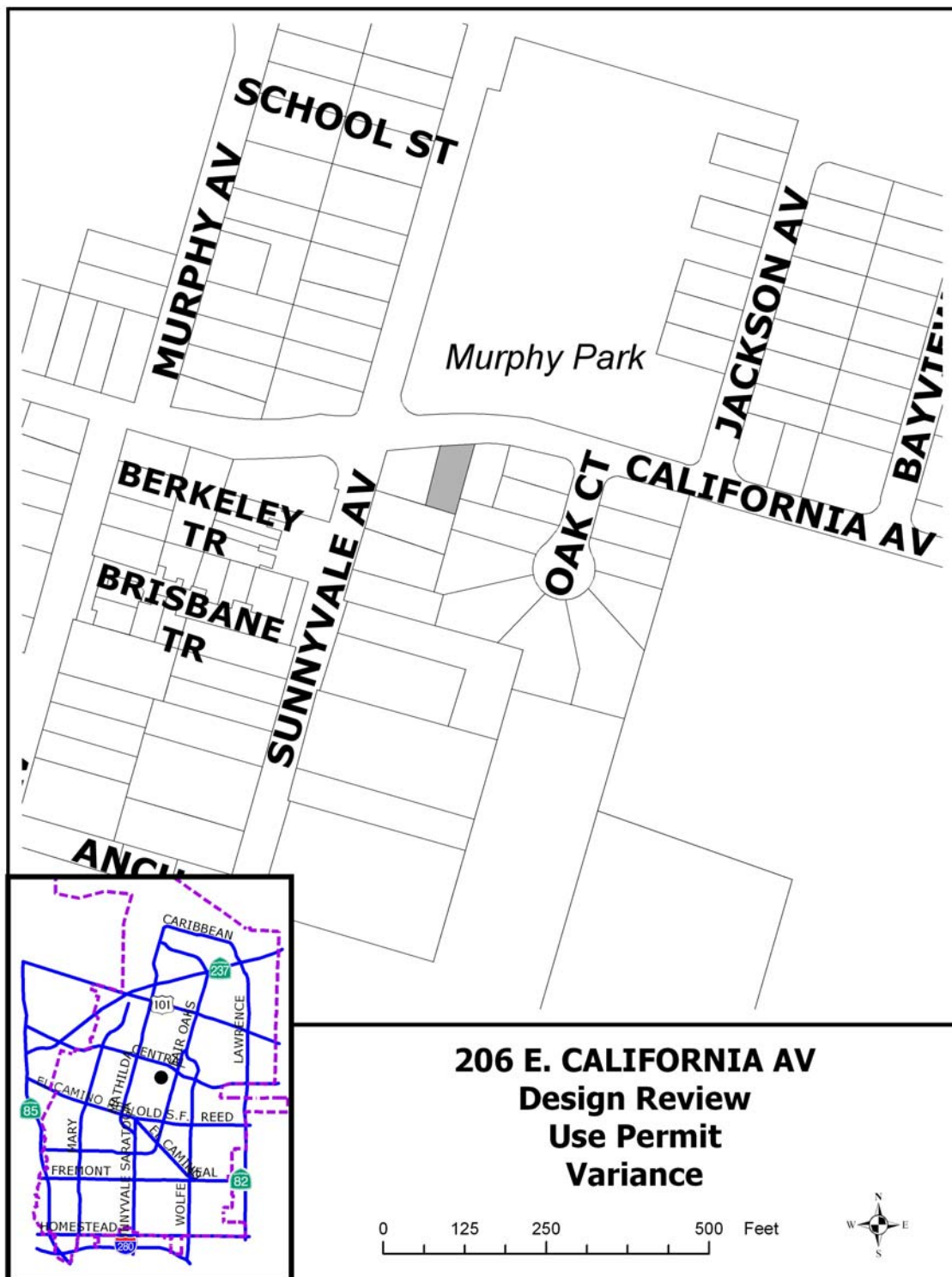
**Surrounding Land Uses**

North	Murphy Park
South	Single Family Home
East	Duplex
West	Single Family Home

**Issues**               Variance Findings  
Undergrounding of service drop

**Environmental Status**       Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

**Staff Recommendation**       Approve with conditions



**PROJECT DATA TABLE**

	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>	<b><u>REQUIRED/ PERMITTED</u></b>
<b>General Plan</b>	Residential Low Medium Density	Same	Residential Low Density
<b>Zoning District</b>	R 1.5	Same	R 1.5
<b>Lot Size (s.f.)</b>	4615	Same	4,200 min.
<b>Gross Floor Area (s.f.)</b>	0	1910	2,307 max.
<b>Lot Coverage (%)</b>	N/A	37%	40% max.
<b>Floor Area Ratio (FAR)</b>	N/A	41%	50% max.
<b>No. of Units</b>	1	Same	1 max.
<b>No. of Buildings On- Site</b>	None	2	With Use Permit
<b>Distance Between Buildings</b>	N/A	22 ft.	10 ft. min.
<b>Building Height (ft.)</b>	N/A	23 ft.	30 ft. max.
<b>No. of Stories</b>	N/A	2	2 max.
<b>Setbacks (facing prop.) House/Garage</b>			
★ • <b>Front</b>	N/A	10 ft./N/A	20 ft. min.
• <b>Left Side</b>	N/A	4 ft./14 ft.	0 ft. min.
• <b>Right Side</b>	N/A	15 ft./0 ft.	8 ft. min.
★ • <b>Rear</b>	N/A	47.5 ft./0 ft.	10 ft. min.
<b>Parking</b>			
• <b>Total No. of Spaces</b>	N/A	4	4 min.
• <b>No. of Covered Spaces</b>	N/A	2	2 min.



Starred and shaded items indicate requested Variances.

## ANALYSIS

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### Background

**Previous Actions on the Site:** The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
9360	General Plan Amendment from Low Density to Low Medium Density	City Council Approved	09/16/97
9337	Rezone from R-0 to R1.5	City Council Approved	09/23/97

### Description of Proposed Project

The proposed project is to move a two-story Heritage Resource home from 160 N. Sunnyvale Avenue to the existing vacant site and rebuild a covered front porch. The project also proposes adding a driveway along the eastern property line and building a 720 sq. ft. garage in the rear corner of the lot.

### Environmental Review

A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 3 Categorical Exemptions include construction of new homes.

### Use Permit and Variance

#### **Permits Requested:**

- *Design Review* -: The Design Review is needed because a new two-story home is proposed. This Design Review would normally require staff-level review with notification of surrounding neighbors, but because it is associated with a Use Permit and Variance, it is subject to review by the Administrative Hearing Officer.
- *Use Permit*: The Use Permit is needed to allow a detached garage larger than 450 sq. ft. The proposed garage has two covered parking spaces and a small workshop area along the right side.
- *Variance*: The Variance is needed for the front yard setback along California Avenue and the proposed rear yard setback for the detached garage.

**Site Layout:** The 4,615 sq. ft. lot is small for the neighborhood but in conformance with the R-1.5 Zoning District. The dimensions are approximately

47 ft. wide by 100 ft. deep. The proposed building layout is similar to other projects in the neighborhood with a home set close to the property line in the front and a narrow driveway leading to a detached garage at the rear.

The primary site constraint with the proposed layout is creating sufficient distance between the garage and rear of the home to allow for the maneuvering of vehicles into the garage. The project has 22 ft. in distance, which staff considers sufficient. In order to create this maneuvering distance, the applicant is requesting a Variance from both the front and rear yard setback. No Variance is required from the side yard setback as the R-1.5 Zoning District 19.34.090 permits 0 ft. side-yard setbacks.

**Architecture:** The 1913 home has a side-facing steeply-pitched gabled roof enclosing the second story. A centrally located dormer in the upper story provides a focal point. Large knee braces support the eaves on the sides with exposed rafter tails along the front. A red brick chimney pierces the roof. The materials are channel rustic siding with a wood-shingled roof and wood trim around the double-hung-style windows.

The proposed garage is designed to match the house with a steep side-gabled roof, false dormer and horizontal siding. The structure is 720 sq. ft. and 18.5 ft. in height. Staff has concerns with the height of the roof in relationship to the surrounding detached garages, and recommends as Condition of Approval # 6 that the height be reduced to 14 ft. and windows be removed from the upper portion of the side elevations.

**Parking/Circulation:** The proposed project meets the parking requirements for single-family homes with two covered and two uncovered spaces.

**Easements:** Public Works requires a 10 ft. easement along California Avenue for maintenance of public utilities. The proposed house and porch will not intrude into this easement.

**Undergrounding:** SMC Section 10.38.080 (c) 1 does not require boundary lines and service drops to be undergrounded in connection with the addition, alteration or rehabilitation of an existing single family dwelling. Subsection (c) 8 requires that service drops be undergrounded for new development on a parcel. Staff considers the moving of a house to this lot to be considered new development and service drops will need to be placed underground prior to occupancy.

### **Impact Fees**

This project is subject to the transportation impact fee and is required to pay approximately \$1,800 prior to issuance of the building permit. In addition, this project will be required to pay \$6,738.28 in park in-lieu fees.

### **Compliance with Development Standards**

The proposed project meets all development standards except for front and rear setbacks. After analyzing the project under the required findings for a Variance, staff is able to make the necessary Findings and recommends approval of the project.

### **Expected Impact on the Surroundings**

The proposed home will be a new structure on a lot that has been vacant. This will create a visual impact from the street, but the design and massing of the home is consistent with surrounding architecture and the Single-Family Home Design Techniques. The proposed garage will not have a significant impact on the rear properties with the recommended Condition #6 that the height be reduced and upper windows be removed.

### **Findings, General Plan Goals and Conditions of Approval**

Staff was able to make the required Findings based on the justifications for the Rezone, Special Development Permit and Tentative Map.

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

### **Fiscal Impact**

No fiscal impacts other than normal fees and taxes are expected.

### **Public Contact**

<b>Notice of Public Hearing</b>	<b>Staff Report</b>	<b>Agenda</b>
<ul style="list-style-type: none"> <li>• Published in the <i>Sun</i> newspaper</li> <li>• Posted on the site</li> <li>• 26 notices were mailed to the property owners adjacent to the project site</li> </ul>	<ul style="list-style-type: none"> <li>• Posted on the City of Sunnyvale's Website</li> <li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li> </ul>	<ul style="list-style-type: none"> <li>• Posted on the City's official notice bulletin board</li> <li>• City of Sunnyvale's Website</li> <li>• Recorded for SunDial</li> </ul>

### **Alternatives**

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1. Approve the Design Review, Use Permit and Variance with attached conditions.
2. Approve the Design Review, Use Permit and Variance with modified conditions.
3. Deny the Design Review, Use Permit and Variance.

### **Recommendation**

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Alternative 1.

Prepared by:

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Diana O'Dell  
Project Planner

Reviewed by:

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Fred Bell  
Principal Planner

Attachments:

1. Recommended Findings
2. Recommended Conditions of Approval
3. Site and Architectural Plans
4. Photos

### **Recommended Findings – Design Review**

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The proposed project is desirable in that the project's design and architecture conforms to the policies and principles of the Single Family Home Design Techniques.

### **Single Family Home Design Techniques – Basic Design Principles**

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<b>Basic Design Principle</b>	<b>Comments</b>
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The proposed porch and setback is similar to nearby homes in the neighborhood.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The house is approximately 1100 sq. ft. which is similar to other structures in the neighborhood. While there are no two-story homes in the immediate vicinity, the proposed home has a second story within a steeply pitched roof form.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The home is a very modest size and is centered towards the front of the lot, minimizing potential privacy impacts for neighbor's rear yards.
<i>2.2.4 Minimize the visual impacts of parking.</i>	The proposed garage is placed in the rear and is subsidiary to the main house.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	The proposed materials are wood siding and wood shake roof, which is in keeping with the surrounding neighborhoods.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposed home uses quality materials.
<i>2.2.7 Preserve mature landscaping</i>	The existing palm trees at either side of the lot will be preserved.

### **Recommended Findings - Use Permit**

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1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project facilitates the existing neighborhood pattern with a detached garage in the rear. The size of the structure permits two covered parking spaces plus a small workshop area.



2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because the architecture of the proposed structure matches the main house and the use will not negatively affect surrounding properties.

### **Recommended Findings - Variance**

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1. *Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district.*

The lot size is very small and shallow for the neighborhood. These lot dimensions make it difficult to meet the required front and rear yard setbacks while allowing for a detached garage in the rear.

2. *The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.*

The proposed setbacks are identical to other homes and garages in the neighborhood and will not create a significant impact on the streetscape or the yards in the rear.

3. *Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.*

The purpose of the ordinance was to create a consistent adequate setback distance between the street and the homes and preserve yard area in the rear. This project serves both purposes as the proposed setback is consistent with the surrounding properties and adequate yard area is provided between the house and the side of the garage.

**Recommended Conditions of Approval**

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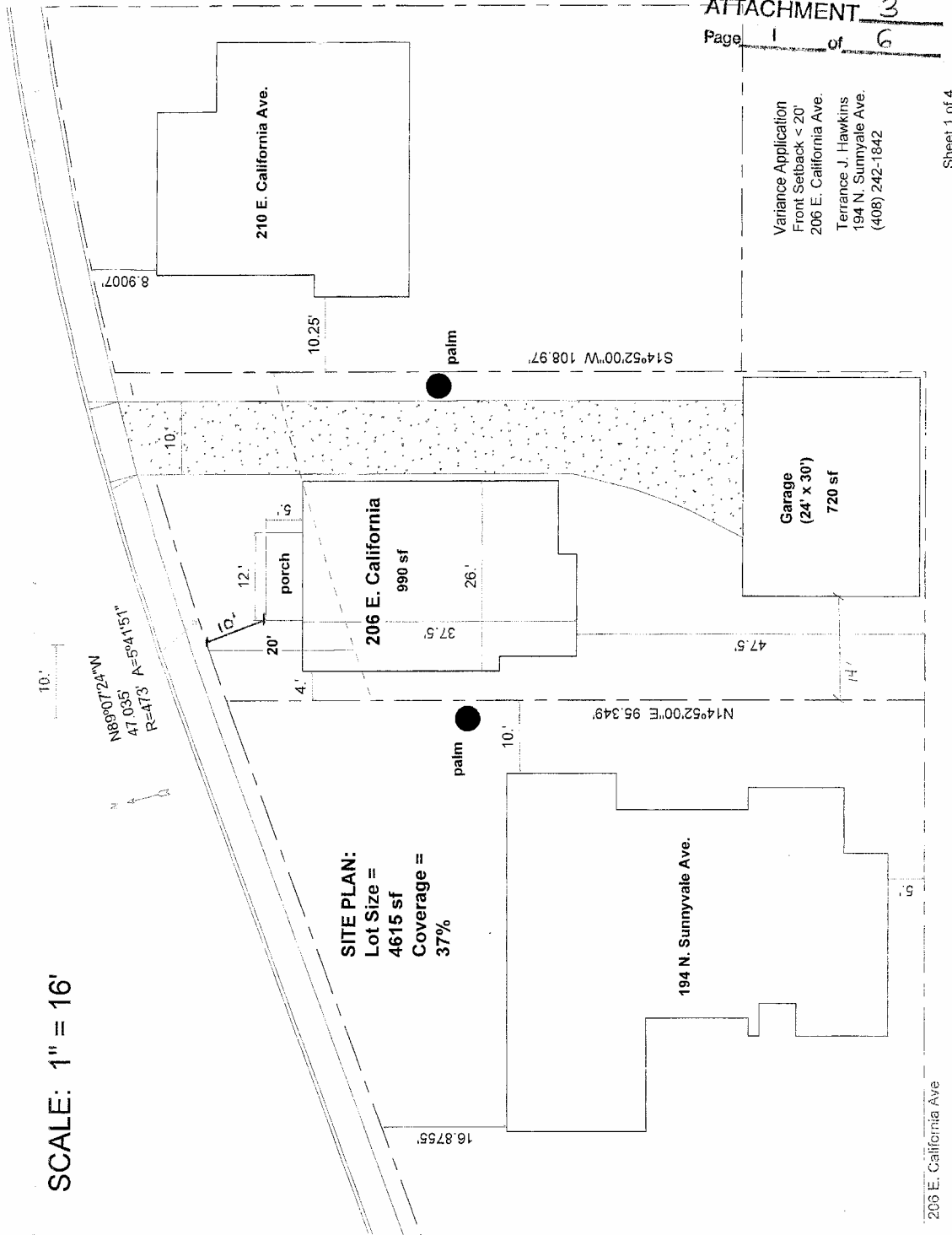
In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. The Variance and Use Permit shall expire two years from the date of approval by the final review authority if not executed or if the use is discontinued. The Design Review shall expire one year from the date of approval if not executed.
2. The Variance, Use Permit and approved Design Review shall be valid only in conjunction with detailed plans as submitted or as may be modified by the reviewing authority of the City during a public hearing. Minor changes of the approved plans may be approved administratively by the Director of Community Development. This Variance approval is for a front yard setback of 10 ft. where 20 ft. is required and a rear yard setback of 0 ft. where 10 ft. is required.
3. The applicant shall obtain a building permit.
4. The applicant/property owner shall reproduce the Conditions of Approval on the Title Page of the plans submitted for a building permit for this project.
5. Roof materials and exterior materials and colors of the proposed garage shall match the existing house. This shall be noted on plans submitted for the building permit.
6. The height of the detached garage shall be reduced to 14 ft. and the windows in the gable of the side elevations shall be removed.
7. The project shall be required to underground service drops to the home. This shall be noted on the building plan and completed prior to occupancy of the home.
8. This project is required to pay park fees in the amount of \$6,738.28 prior to issuance of the building permit.
9. This project is required to pay transportation impact fees for one new dwelling unit in the prior to issuance of the building permit.

10. Obtain a Transportation Permit with the Transportation and Traffic Division prior to moving the home.
11. Record a 10 foot easement with the Public Works Department prior to issuance of the building permit.

SCALE: 1" = 16'

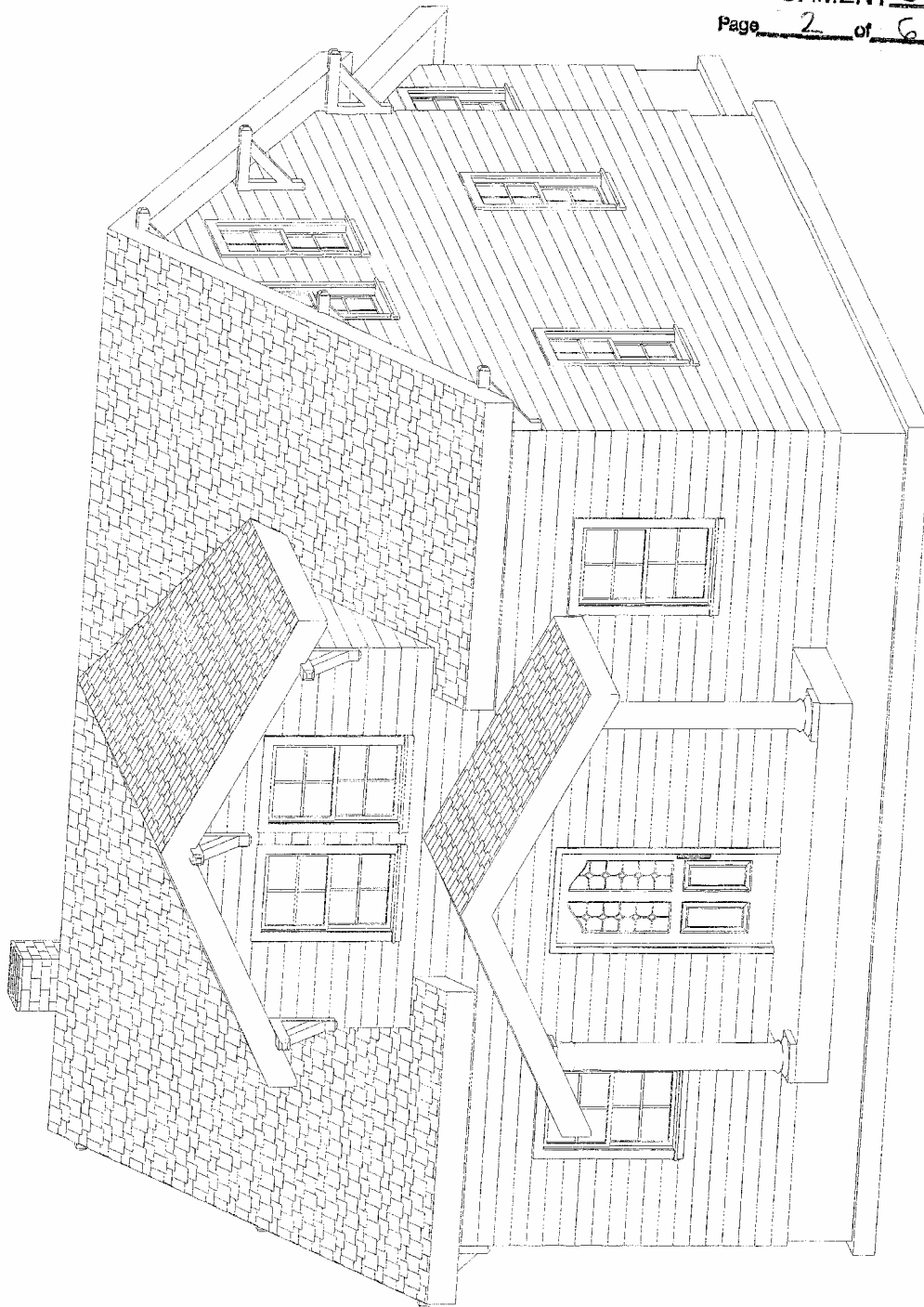


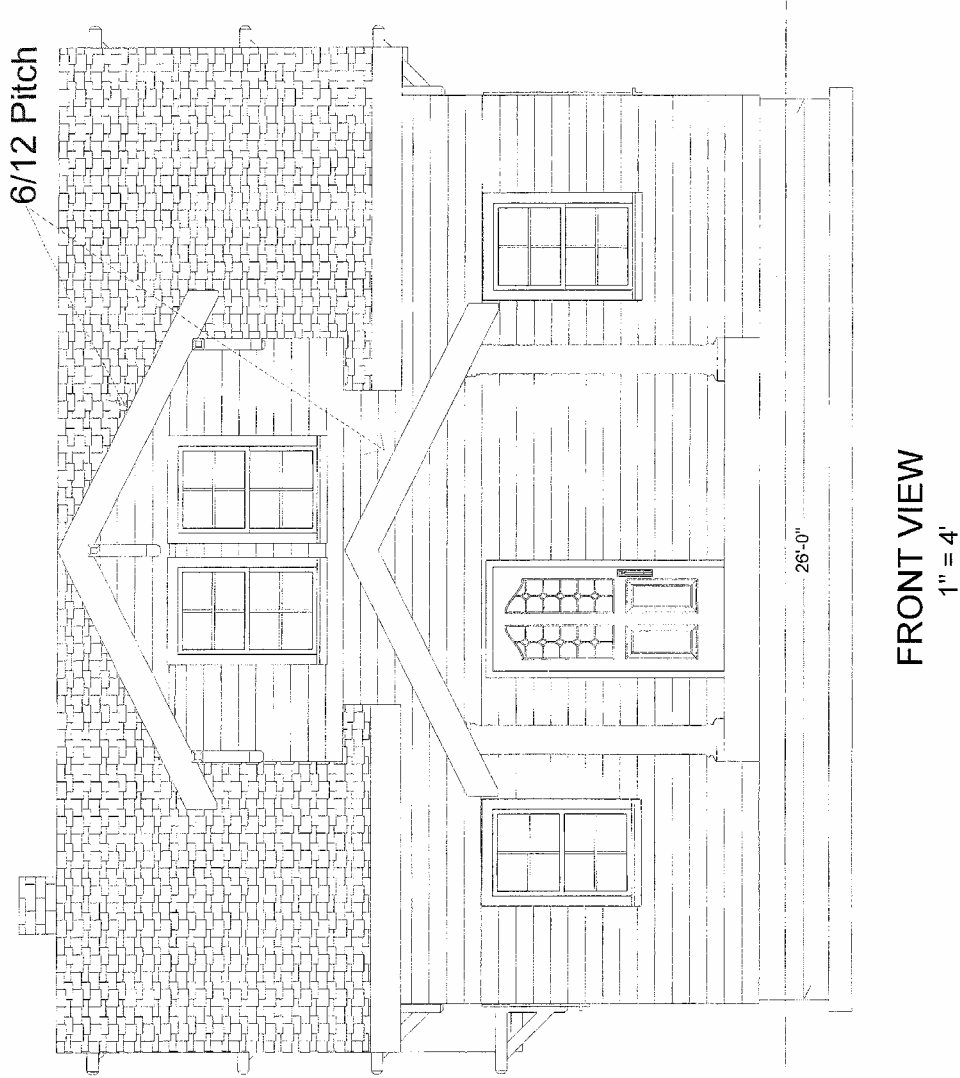
ATTACHMENT 3

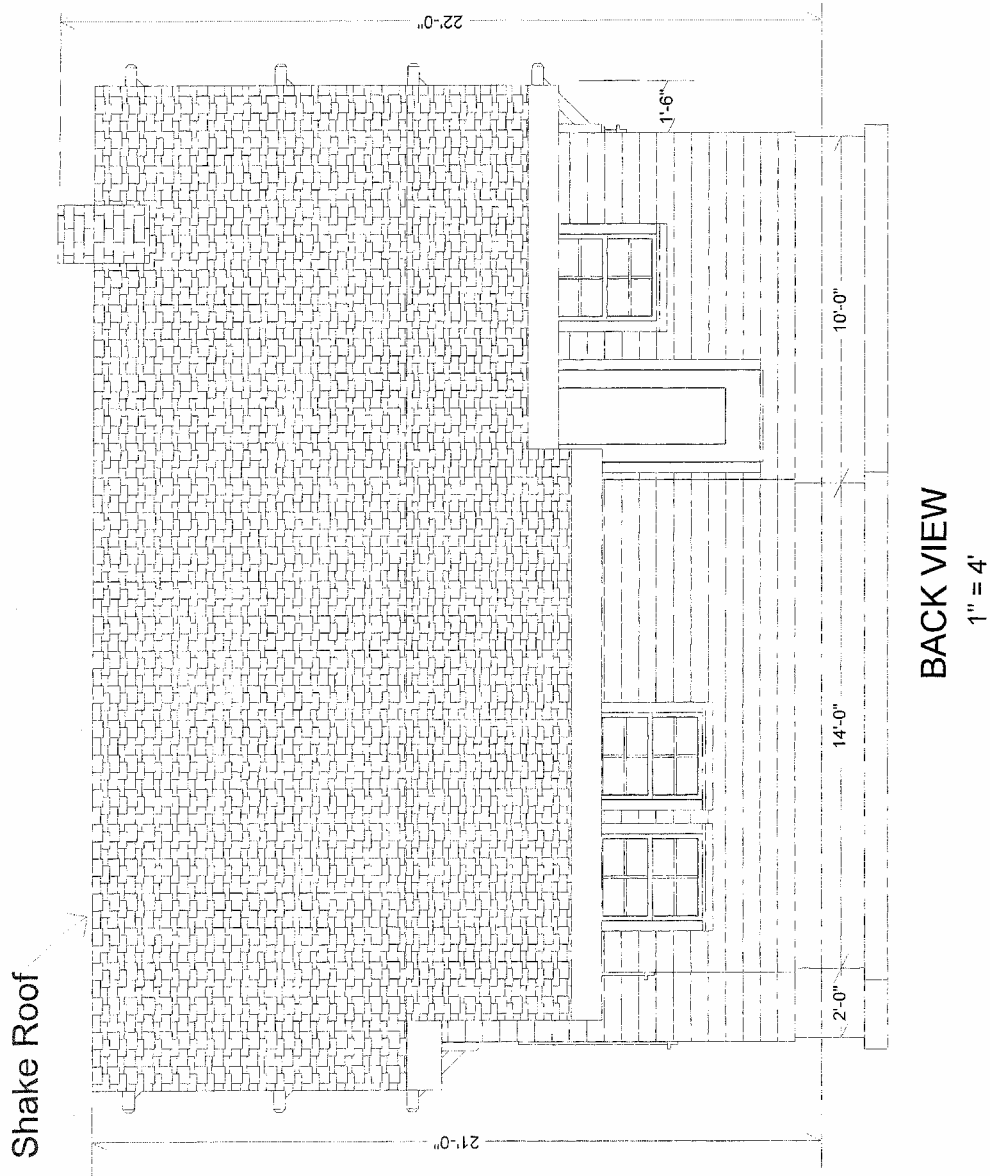
Page 1 of 6

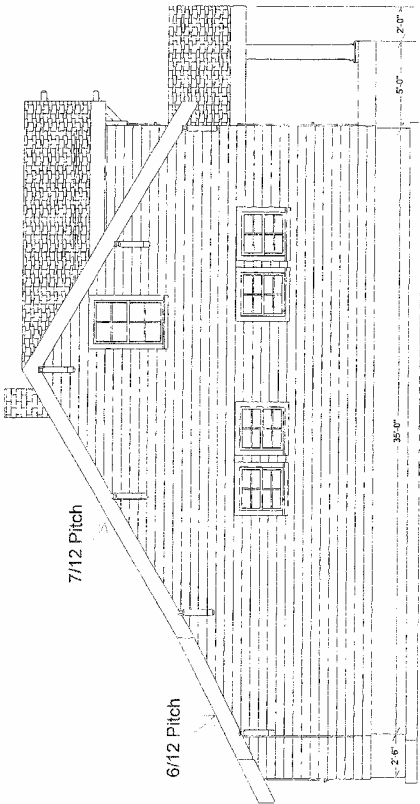
Variance Application  
 Front Setback < 20'  
 206 E. California Ave.  
 Terrance J. Hawkins  
 194 N. Sunnyvale Ave.  
 (408) 242-1842

Sheet 1 of 4



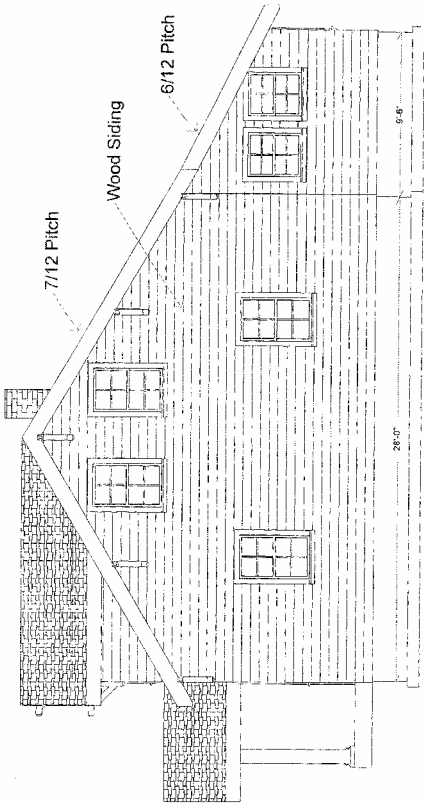






LEFT SIDE VIEW

SCALE: 1" = 8"

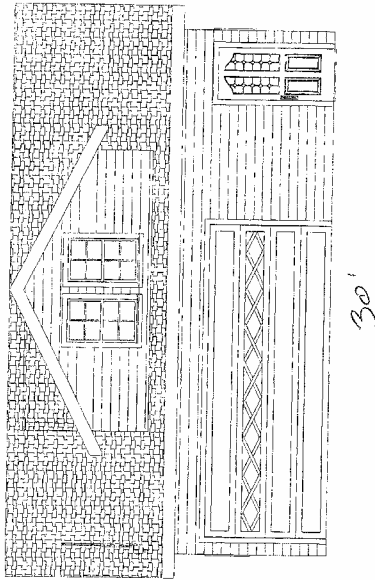


RIGHT SIDE VIEW

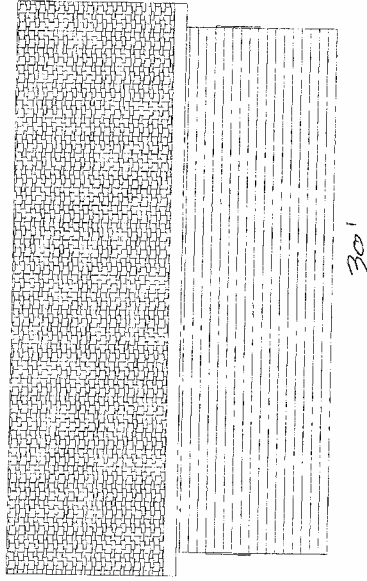


# GARAGE ELEVATIONS

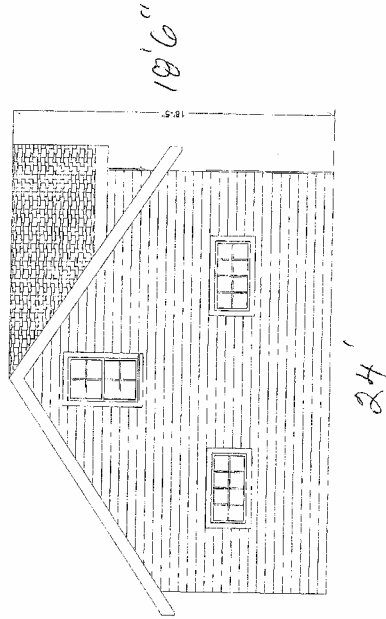
FRONT VIEW



BACK VIEW

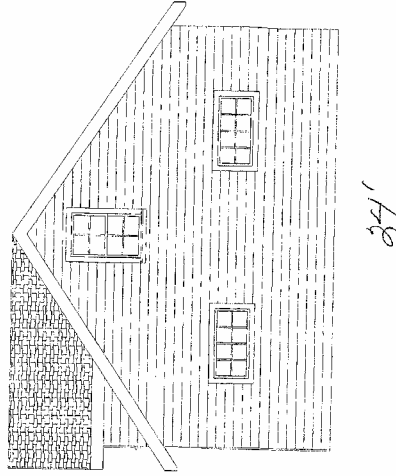


LEFT VIEW



SCALE: 1/8" = 1'

RIGHT VIEW



# 206 E. California Avenue



ATTACHMENT 4  
Page 1 of 3



Scale 1:1686



206 E. CALIFORNIA SIDE ELEVATIONS



PROPOSED 200 E CALIFORNIA FRONT ELEVATION